IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

)
) Case No. 18-30056-KLP
Chapter 7
-))
)))
) Adv. Pro. No. 18-03098-KLP
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NOTICE OF MOTION AND HEARING

PLEASE TAKE NOTICE THAT on November 2, 2018, BMST, Inc. and Mark Beltrami (together, the "BMST Defendants"), by their undersigned counsel, filed with the Court their Motion to Dismiss Complaint to Avoid Transfers, Impress Successor Liability, and Obtain an Order of Substantive Consolidation (the "Motion"). A true and complete copy of the Motion has been filed with the Bankruptcy Court simultaneously with this Notice and may be obtained for a fee via PACER at http://www.vaeb.uscourts.gov, or by written request to Franklin R. Cragle, III, Esquire, Hirschler Fleischer, P.C., Post Office Box 500, Richmond, Virginia 23218-0500, or by sending such written request to fcragle@hf-law.com.

Robert S. Westermann (VSB No. 43294) Franklin R. Cragle, III (VSB No. 78398) HIRSCHLER FLEISCHER, P.C. The Edgeworth Building 2100 East Cary Street Post Office Box 500 Richmond, Virginia 23218-0500

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Your rights may be affected. You should read the Motion carefully and discuss it with your attorney, if you have one in this case. (If you do not have an attorney, you may wish to consult one.)

PLEASE TAKE FURTHER NOTICE THAT if you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then you or your attorney must, on or before November 21, 2018:

1. File with the Court at the address shown below a written response to the Motion pursuant to Local Bankruptcy Rule 9013-1. You must mail or otherwise file it early enough so the Court will **receive** it on or before the due date identified therein.

Clerk of the Court United States Bankruptcy Court 701 E. Broad Street, Suite 4000 Richmond, Virginia 23219

2. You must also serve your written response on the following counsel for BMST Defendants at the address shown below. You must serve the written response early enough so that such counsel will **receive** it on or before the due date identified herein.

Franklin R. Cragle, III, Esquire Hirschler Fleischer, P.C. The Edgeworth Building 2100 East Cary Street Post Office Box 500 Richmond, Virginia 23218-0500 fcragle@hf-law.com

Attend a hearing on the Motion before the Court on November 28, 2018, at 9:30 a.m. (prevailing Eastern Time), at United States Bankruptcy Court, 701 East Broad Street, Room 5100, Richmond, Virginia.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested in the Motion.

Dated: November 2, 2018 Respectfully submitted

BMST, INC. and MARK BELTRAMI

/s/ Franklin R. Cragle, III
Counsel

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Counsel for BMST, Inc. and Mark Beltrami

CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2018, a true and complete copy of the foregoing Notice was filed and served electronically using the Court's ECF System and was also sent by email and first class mail, postage prepaid, as follows:

Kimberly A. Taylor, Esq.
William A. Broscious, Esq.
Kepley Broscious & Biggs, PLC
2211 Pump Road
Richmond, Virginia 23233
(ktaylor@kbbplc.com)
Counsel for Harry Shaia, Jr., Trustee

Robert A. Canfield, Esq. Canfield Wells & Kruck, LLP 4124 E. Parham Road Henrico, Virginia 23228 (bob@cwkllp.com) Counsel for Christopher McGinnis

<u>/s/ Franklin R. Cragle, III</u>
Counsel